

66/32/21




520 Rec'd PCT/PT 2 3 DEC 1999

FORM PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			4121-115
			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>09/446808</b>
INTERNATIONAL APPLICATION NO. PCT/DE98/01797	INTERNATIONAL FILING DATE 24 June 1999	PRIORITY DATE CLAIMED 24 June 1997	
TITLE OF INVENTION Mammal with Inhibition of the Poly (ADP Ribose) Polymerase and Method for Using Same to Identify Cancerigenic Agents			
APPLICANT(S) FOR DO/EO/U.S. Patent and Trademark Office KUPPER, Jan-Heiner; BURKLE, Alexander; van GOOL, Leon; and zur HAUSEN, Harald			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li><input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))               <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been transmitted by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))               <ol style="list-style-type: none"> <li><input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been transmitted by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11. to 16. below concern other document(s) or information included:			
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
14. <input type="checkbox"/> A substitute specification.			
15. <input type="checkbox"/> A small entity statement. (independent inventor statement)			
16. <input type="checkbox"/> Other items or information:			

NOTE: This application is being filed without an Oath or Declaration under the provisions of 37 CFR § 1.53 in order that applicants may secure a filing date of December 23, 1999. Upon receipt of a "Notice of Missing Requirements," a Declaration and Power of Attorney and a Small Entity Statement, will be filed in the Patent and Trademark Office. The undersigned attorney affirmatively states that he has been duly authorized and appointed to file this application on behalf of the applicants and applicants' assignee, and that the Declaration and Power of Attorney to be filed hereafter will confirm the undersigned agent's authorization and appointment. An appertaining Small Entity Statement will also be submitted for such assignee in response to a Notice of Missing Requirements.

<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p style="margin-left: 20px;"><b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b></p> <p style="margin-left: 20px;">Search Report has been prepared by the EPO or JPO..... \$970.00</p> <p style="margin-left: 20px;">International preliminary examination fee paid to USPTO (37 CFR 1.482)..... \$0.00</p> <p style="margin-left: 20px;">No International preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))..... \$0.00</p> <p style="margin-left: 20px;">Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$1,070.00</p> <p style="margin-left: 20px;">International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$0.00</p> <p style="text-align: right; margin-right: 20px;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">CALCULATIONS</th> <th style="width: 50%;">PTO USE ONLY</th> </tr> <tr> <td style="height: 150px;"></td> <td></td> </tr> </table>	CALCULATIONS	PTO USE ONLY																																																															
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<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: right;">\$</td> <td style="width: 50%; text-align: center;">970.00</td> </tr> </table>	\$	970.00																																																															
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 William A. Barrett  
 Registration No. 42,296

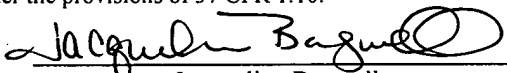
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re United States Patent Application of:**

**Applicants:** KUPPER et al.  
**Serial No.:** New National Phase U.S. Patent  
Application Claiming Priority to  
PCT International Application  
No. PCT/DE98/01797  
**International Filing Date:** 24 June 1998  
**Priority Date Claimed:** 24 June 1997  
(German Application No. 197 26  
702.5)  
**Title of International  
Application:** A Method for Identifying  
Cancerigenic Agents Using a  
Mammal With Inhibition of the  
Poly (ADP Ribose) Polymerase  
**Title as Amended by  
Preliminary Amendment  
Submitted Herewith:** Mammal with Inhibition of the  
Poly (ADP Ribose) Polymerase  
and Method for Using Same to  
Identify Cancerigenic Agents

**EXPRESS MAIL CERTIFICATE**

It hereby is certified by the person identified below that the attached documents are being mailed to the Assistant Commissioner of Patents on the date specified, in an envelope addressed to the Assistant Commissioner of Patents, Box PATENT APPLICATION, Washington, DC 20231, and Express Mailed under the provisions of 37 CFR 1.10.

  
Jacqueline Bagwell

December 23, 1999

Date of Mailing

EL387762973US

Express Mail Label Number

**Submission under 37 CFR 1.53 and 35 U.S.C. 371 of United States Patent Application  
(National Phase Proceedings) Based on International Patent Application No. PCT/DE98/01797 and  
Claiming Priority of Deutschland Patent Application No. 197 26 824.2**

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, DC 20231

Sir:

This application is being filed without an Oath or Declaration under the provisions of 37 CFR § 1.53 in order that applicant may secure a filing date of December 23, 1999. Upon receipt of a "Notice to File Missing Requirements," a Declaration and Power of Attorney and an Small Entity Statement will be filed in the Patent and Trademark Office. The undersigned attorney affirmatively states that he has been duly authorized and appointed to file this application on behalf of the applicants, Jan-Heiner Kupper, Alexander Burkle, Leon van Gool and Harald zur Hausen, and that the Declaration and Power of Attorney to be filed hereafter will confirm the undersigned attorney's authorization and appointment.

Please direct correspondence relating to this application to Steven J. Hultquist, Intellectual Property/Technology Law, P.O. Box 14329, Research Triangle Park, NC 27709, and direct telephonic communications relating to this application to Steven J. Hultquist at (919) 419-9350.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bill Barrett", with a stylized flourish at the end.

William A. Barrett  
Registration No. 42,296  
Attorney for Applicants

**INTELLECTUAL PROPERTY/  
TECHNOLOGY LAW**  
P.O. Box 14329  
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Attorney Ref.: 4121-115